

Application No. 10/029,313

**REMARKS**

In the specification, the Abstract of the disclosure was objected to because it contains legal phraseology, e.g., "comprises". In response, the Abstract has been amended.

Claims 1-30 are pending.

Claims 5-7 and 10-29 have been withdrawn from consideration.

Claims 1-4, 8, 9 and 30 have been rejected.

Claims 1 and 30, the two independent claims remaining in the application, have been amended.

**CLAIM REJECTIONS – 35 U.S.C. § 102 and 103**

Claims 1-4 and 8-9 were rejected under 35 U.S.C. § 102(e) as being anticipated by Holzhauser et al., U.S. Patent 6,295,908, as set forth in paragraph 8 of paper no. 8. In response, Claim 1 has been amended to require continuous rotation of the rotatable punch member during perforation of successive sheets. As the Second Office Action acknowledged, Holzhauser does not teach or disclose a continuous rotation of the rotatable punch member. Claim 1 is, accordingly, allowable over Holzhauser.

Claims 1-4 and 8-9 were rejected under 35 U.S.C. § 102(e) as being anticipated by Japanese application 2000-169890, hereinafter JP '890, or in the alternative, under 35 U.S.C. § 103(a) as obvious over JP '890 in view of Holzhauser, as set forth in paragraph 9 of paper no. 8. In response, Claim 1 has been amended to require continuous rotation of the rotatable punch member during perforation of successive sheets. As acknowledged in the Second Office Action, JP '890 teaches that its punches and dies are returned to a waiting position. Such a return to a waiting position teaches away from the requirement of Claim 1 that the rotatable punch member be continuously rotating. Claim 1 is accordingly allowable over JP '890. Claims 1-4 and 8-9, and 30 were rejected under 35 U.S.C. § 102(e) as being

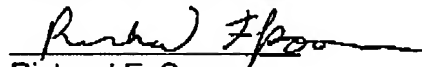
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anticipated by Ueda et al., U.S. Patent 6,672,504. In response, Claim 1 has been amended to require continuous rotation of the rotatable punch member during perforation of successive sheets. Nothing in Ueda teaches or discloses such continuous rotation. Accordingly, Claim 1 is allowable over Ueda....

Since Claim 1 is allowable, all claims dependent, directly or indirectly, from Claim 1 are also allowable. As indicated in the Second Office Action, Claims 5-7 and 10-24 are rejoined upon allowance of Claim 1. Accordingly, Claims 1-24 and Claim 30 are now in condition for allowance. The application and claims are believed to be in a condition for allowance in their present form and which allowance is respectfully requested.

In the event the Examiner considers personal contact advantageous to the disposition of this case, the Examiner is hereby authorized to call Applicant's Attorney, Richard Spooner, at Telephone Number (585) 423-5324, Rochester, New York.

Respectfully submitted,

  
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